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# United States Senate

WASHINGTON, DC 20510-3405

September 20, 2007

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George W. Bush  
The President  
The White House  
Washington, DC 20500

Dear Mr. President:

I am disturbed by press reports that suggest the Social Security Administration (SSA) is failing to provide timely responses to disabled Americans who have submitted initial disability claims or are appealing rejected claims under the Social Security program. I am writing to urge you and Social Security Commissioner Michael Astrue to take immediate action to ensure that applications are processed in a timely manner so disabled Americans promptly get the financial resources to which they are entitled.

According to information provided by SSA officials, delays in the processing of Social Security disability claims have reached record levels. On average, it will take the SSA three months to process each of the 586,000 pending initial disability claims under the Social Security Disability Insurance (SSDI) program as well as for claims under the Supplemental Security Income (SSI) program. Nearly 300 days elapse, on average, from the point of the initial filing to the time a decision on reconsideration is made. Thus, the average claimant has waited almost 10 months before they even file for a hearing. It is my understanding that the SSA denies nearly two in three initial claims, and it will take an average of 523 days, or some 17 months, for the SSA to process each of the 752,100 pending appeals. In some cases, however, people have even waited more than 3 years for the SSA to make a decision on the appeal!

Social Security disability claimants in North Dakota had an average wait time of 100 days for initial disability claims where a medical decision is required, and nearly 16 months for disability appeals claims. There are currently about 2,800 hearings pending in the Fargo, North Dakota office which services all the citizens of North Dakota who are waiting for the SSA to make a decision on an appeal of a disability claim that was initially rejected.

I recently heard from one of those constituents. She has undergone extreme financial difficulties and is on the verge of bankruptcy. She has reached the limit on her credit cards and borrowed money from whomever would lend it to pay for rent, food, and most importantly, her medication. It is unconscionable that disabled Americans are forced to go into bankruptcy while they wait for a bureaucrat at the SSA to look into their case.

This is not a situation where people are appealing frivolous claims. According to SSA staff, more than 60 percent of denied claims that are appealed are eventually overturned. The bottom line is that elderly Americans and other poor individuals with disabilities that prevent them from earning a living and paying their bills deserve better. Social Security disability benefits help keep millions of disabled Americans out of poverty. But these people who are unable to work and need immediate assistance to avoid financial collapse do not appear to be a priority for your Administration.

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SSA will have lost about 4,000 positions from the beginning of Fiscal Year 2006 to the end of this Fiscal Year. This will leave SSA at its lowest level of staffing since the early 1970s, which was before the agency took over the SSI program. The State Disability Determination Services have also lost about 1,100 positions since the beginning of Fiscal Year 2006. This is further limiting the SSA's ability to deal with the disability backlog.

Starting next year, the first of 78 million baby boomers will begin filing for Social Security. As a result, SSA will need to take claims from and service millions more beneficiaries. Local Field Offices are already at a breaking point due to their current staffing levels. Service is degrading. Last Fiscal Year about 51 percent of those who called a Field Office received a busy signal. Nearly 68 million people call the Field Offices every year, and about 850,000 people visit a Field Office each week. Other changes such as the new immigration rule could also have a significant impact on Field Offices. Your budget submission to Congress this year would under fund the SSA by some \$800 million that your previous Social Security Commissioner, Jo Anne B. Barnhart, said is needed to serve older Americans, people with disabilities, and the poor.

Current Commissioner Astrue has said, "the length of time many people wait for a disability decision is unacceptable." Regrettably, he is absolutely right. This situation is shameful. It is time for the Administration to make the work SSA does a high priority and to ensure that Americans receive good service from the SSA. This is absolutely essential for those who are unable to work due to extended disability so that they may receive the financial assistance they were promised to help meet basic needs.

I understand that the SSA has recently extended to all states its Quick Disability Determination (QDD) process, which uses automation tools to screen cases and reduce the number of cases in the determination process. I applaud the expansion of this initiative as the delays exist nationwide. In fact, farmers and others who live and work in the Great Plains often face serious injuries that can lead to extended or permanent disability. Disabled seniors and others who have contributed to the Social Security system during their lifetime shouldn't be forced to wait one, two, or even three years for the SSA to make a final determination relating to their disability claims. According to SSA's own data, the QDD operating in the Northeast has successfully reduced the average decision making time to just 11 days in many cases.

I look forward to hearing about the other steps your Administration plans to take to resolve this issue, and whether additional resources are needed to ensure claims are processed in a timely manner.

Sincerely,

A handwritten signature in dark ink, appearing to read "Byron L. Dorgan". The signature is fluid and cursive, with a long, sweeping underline.

Byron L. Dorgan  
U.S. Senator

BLD:ach

cc: Social Security Commissioner Michael J. Astrue